

June 22, 2022

Ryan Degazio
Nuroad Construction Limited
36 Progress Court
Brampton ON L6S 5X2
Email: ryand@nuroad.ca

Dear Mr. Degazio:

**Re: SUBSTANTIAL & TOTAL PERFORMANCE - Contract No. 21-121
Culvert Replacement, The Queensway South (Y.R. 12), 1.0 km north of Glenwoods
Avenue in the Town of Georgina
Our File No. L01 3993**

In accordance with the *Construction Act*, R.S.O. 1990, c. C.30, s. 2, Contract No. 21-121 is substantially performed and deemed to be complete. Enclosed are Certificates of Substantial and Total Performance for this contract. Please sign both certificates and arrange for the publication of the Certificate of Substantial Performance in the Daily Commercial News.

In accordance with the terms of the contract, the following documents should be uploaded to the PI Portal within 15 calendar days of the date of this letter:

1. Proof of publication of the Certificate of Substantial Performance
2. Signed Certificate of Total Performance
3. Release
4. WSIB Certificate of Clearance
5. Declaration of No Adjudication
6. Proper Invoice for the unpaid work completed up to the date of Total Performance

The forms of Release and Declaration of No Adjudication acceptable to The Regional Municipality of York are attached for your use.

Should you have any questions or concerns, please contact me.

Sincerely,


Shu Zhu
Senior Project Manager

SZ/ch

Attachments

Copy to: Natalie Simmalavong, Legal Assistant, Legal Services, York Region
Jennifer Leitch, Senior Risk Management Analyst, Controllershship Office, via e-mail
insurancecertificates@york.ca
John Cheng, Sarah Clark, Ivy Mak, Finance Department, York Region
Sharon Boyles, Construction Administrator, Public Works Department, York Region
York# 13998068

CERTIFICATE OF TOTAL PERFORMANCE OF THE CONTRACT

This is to certify that the contract for the following improvement:

CONTRACT NO. 21-121

for

Culvert Replacement, The Queensway South (Y.R. 12), 1.0 km north of Glenwoods Avenue in
the Town of Georgina

was totally performed on:

May 13, 2022

The Regional Municipality of York

Nuroad Construction Limited



Name: Shu Zhu

Title: Senior Project Manager



Name: Ryan Degazio

Title: Vice President

FORM 9
CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE
CONTRACT UNDER SECTION 32 OF THE ACT
Construction Act

The Regional Municipality of York

(County/District/Regional Municipality/Town/City in which premises are situate)

The Queensway South (Y.R. 12), 1.0 km north of Glenwoods Avenue in the Town of Georgina

(street address and city, town, etc. or, if there is no street address, the location of the premises)

This is to certify that the contract for the following improvement:


Contract No. 21-121 - Culvert Replacement

(short description of the improvement)

to the above premises was substantially performed on May 5, 2022
(date substantially performed)

Date Certificate Signed: June 22, 2022

(payment certifier where there is one)


(owner and contractor, where there is no payment certifier)

Name of owner: The Regional Municipality of York

Address for service: Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON, L3Y 6Z1; regionalclerk@york.ca

Name of contractor: Nuroad Construction Limited

Address for service: 36 Progress Court, Brampton, ON L6S 5X2

Name of payment certifier (where applicable):

Address:

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

(if a lien attaches to the premises, a legal description of the premises,
including all property identifier numbers and addresses for the premises)

☒ B. Office to which claim for lien must be given to preserve lien:

The Regional Municipality of York, Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON L3Y 6Z1;
regionalclerk@york.ca

(if the lien does not attach to the premises, a concise description of the premises, including addresses, and the name and address of the
person or body to whom the claim for lien must be given)

RELEASE

IN THE MATTER OF a contract for culvert replacement, The Queensway South (Y.R. 12), 1.0 km north of Glenwoods Avenue in the Town of Georgina, known as Contract No. 21-121, entered into between The Regional Municipality of York (the "Region") and Nuroad Construction Limited (the "Contractor").

KNOW ALL MEN BY THESE PRESENTS THAT the Contractor, on its own behalf and on behalf of its Subcontractors, and their respective heirs, executors, administrators, successors and assigns, as the case may be (the "Releasor"), for and in consideration of the payment or promise to pay the statutory holdback under the above-mentioned contract, and for other good and valuable consideration, hereby remises, releases and forever discharges the Region, and its directors, officers, council members, partners, employees, agents, assigns and successors (the "Releasee"), of and from all manner of actions, causes of action, suits, debts, dues, sums of money, claims and demands whatsoever at law or in equity which the Releasor ever had, now has, or may have by reason of the above-mentioned contract, save and except any claim which the Releasor has arising out of:

1. Claims pursuant to GC7 – Claims, Disputes and Adjudication made prior to Total Performance of the Contract and still unsettled, as listed in the attached "Schedule of Outstanding Claims"
2. The retention by the Region of the maintenance security, if applicable
3. Pending/Unresolved Change Orders as listed in the attached "Schedule of Pending/Unresolved Change Orders"
4. Quantities which have not been finalized

With respect to item 1, the Contractor acknowledges and agrees that none of the claims listed in the attached "Schedule of Outstanding Claims" have been admitted, acknowledged or accepted by the Region as valid claims. The Contractor further acknowledges that nothing in this Release prevents or estops the Region from disputing the validity, timeliness and quantum of the claims listed therein.


Dated this 22 day of June 2022

WITNESSED BY:

SIGNED, SEALED AND DELIVERED

NUROAD CONSTRUCTION LIMITED


Name: Kelly Davison


Name: Ryan Degazio (Seal)
Title: Vice President

Name:

Name:

(Seal)

Title:

I/We have authority to bind the corporation

DECLARATION OF NO ADJUDICATION

I, Ryan Degazio (name)

of Nuroad Construction Limited (name of Contractor)

declare that:

1. I am the Vice President (title or position) of

Nuroad Construction Limited (name of Contractor)

and as such have knowledge of the facts herein declared.

2. That Nuroad Construction Limited (name of Contractor)

entered into Contract No. 21-121 (contract no) with The Regional Municipality of York for

Culvert Replacement, The Queensway South (Y.R. 12), 1.0 km north of Glenwoods Avenue in the Town of Georgina (description of contract)

3. That Nuroad Construction Limited (name of Contractor)

is not engaged in, nor aware of, any adjudication with respect to Contract No. 21-121 (contract no)

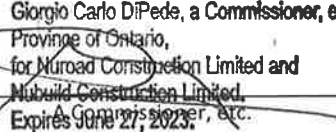
nor is it aware of any adjudication in which any subcontractors or suppliers are engaged, and has made reasonable enquiries to confirm this.

Declared before me in Brampton (City/Town)

in the Province of Ontario (Province)

on the 22 day of June, 2022


Signature of Declarant


Giorgio Carlo DiPede, a Commissioner, etc.,
Province of Ontario,
for Nuroad Construction Limited and
Mubuild Construction Limited.
Expires June 27, 2023.